

FILED
At Albuquerque NM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JUN 30 2016 *WJ*

MATTHEW J. DYKMAN
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORGE CHACON,

Defendant.

)
)
) CRIMINAL NO. 16-2924 MCA
)
) Count 1: 21 U.S.C. §§ 841(a)(1) and
) (b)(1)(B): Distribution of 50 Grams and More
) of Methamphetamine;
)
) Count 2: 18 U.S.C. § 924(c): Using and
) Carrying a Firearm During and in Relation to
) a Drug Trafficking Crime, and Possession a
) Firearm in Furtherance of Such Crime;
)
) Counts 3-6: 18 U.S.C. §§ 922(g)(1) and
) 924(a)(2): Felon in Possession of a Firearm;
)
) Count 7: 18 U.S.C. §§ 922(k) and
) 924(a)(1)(B): Possession of a Firearm with
) Obliterated Serial Number.

INDICTMENT

The Grand Jury charges:

Count 1

On or about May 16, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of a mixture and substance containing a detectible amount of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Count 2

On or about May 16, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, during and in relation to a drug trafficking crime for which the

defendant may be prosecuted in a court of the United States, specifically, distribution of a 50 grams and more of a mixture and substance containing a detectible amount of methamphetamine as charged in Count 1 of the Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c).

Count 3

On or about May 16, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, having been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) burglary,
- (2) aggravated battery, and
- (3) aggravated assault with a deadly weapon,

knowingly possessed, in and affecting commerce, a firearm, a Hi-Point, model CF-380, .380 caliber, pistol, serial number #P917200.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Count 4

On or about May 19, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, having been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) burglary,
- (2) aggravated battery, and
- (3) aggravated assault with a deadly weapon,

knowingly possessed, in and affecting commerce, a firearms, a Makarov, .380 caliber, pistol, serial number RU01182.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Count 5

On or about May 26, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, having been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) burglary,
- (2) aggravated battery, and
- (3) aggravated assault with a deadly weapon,

knowingly possessed, in and affecting commerce, a firearms, an F.I.E Corp. .25 caliber, pistol, serial number 982261.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Count 6

On or about May 26, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, having been convicted Of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) burglary,
- (2) aggravated battery, and
- (3) aggravated assault with a deadly weapon,

knowingly possessed, in and affecting commerce, a firearm, a Jimenez Arms, 9mm caliber, pistol, with an obliterated serial number.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

Count 7

On or about the May 26, 2016, in Bernalillo County, in the District of New Mexico, the defendant, **JORGE CHACON**, knowingly possessed a firearm, a Jimenez Arms, 9mm caliber, pistol, from which the manufacturer's or importer's serial number had been removed, obliterated and altered and which, at any time, had been shipped and transported in interstate and foreign commerce.

In violation of 18 U.S.C. §§ 922(k) and 924(a)(1)(B).

FORFEITURE ALLEGATION

Count 1 of this Indictment is re-alleged and incorporated by reference for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **JORGE CHACON**, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which he is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

The property to be forfeited to the United States includes but is not limited to the following:

MONEY JUDGMENT

A sum of money of approximately \$1,200.00 in U.S. currency equal to the amount of proceeds obtained as a result of the offense in Count 1.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

A TRUE BILL:

A. C. Macely
Assistant United States Attorney

KTB
06/29/16 5:35AM

/s/
FOREPERSON OF THE GRAND JURY